

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

BEFORE: JAMES M. WICKS, U.S. MAGISTRATE JUDGE

DATE: 09/15/2023

TIME: 10:30 AM

☐ SEALED PROCEEDING

CIVIL CAUSE FOR SETTLEMENT CONFERENCE

CASE: 2:23-cv-06188-OEM-ST-Superb Motors Inc. et al. v. Deo et al.

APPEARANCES:

For Plaintiff:

Emanuel Kataev, Esq. appearing with
Robert Anthony Urrutia and Bruce Novicky

For Defendants (Anthony Deo, Sarah Deo, Harry Thomasson, Dwight Blankenship, Marc Merckling, Michael Laurie, Car Buyers NYC Inc., Gold Coast Cars of Syosset LLC, Gold Coast Cars of Sunrise LLC, Gold Coast Motors Automotive Group LLC, Gold Coast Motors of LIC LLC, Gold Coast Motors of Roslyn LLC, Gold Coast Motors of Smithtown LLC and UEA Premier Motors Corp.):

Harry R. Thomasson, Jr., Esq. appearing
with Anthony Deo

Court Reporter/FTR: 11:31-11:41 (FTR)

THE FOLLOWING RULINGS WERE MADE:

- ☒ Conference held this date with counsel and their respective parties to attempt to resolve by stipulation a portion of the Temporary Restraining Order (“TRO”) relating to the return of cars from defendants to plaintiffs.
- ☒ The parties stipulated on the record to the following relief on the TRO which supplements, and does not in any way impact, prior orders and directives issued by Judge Merchant in connection with the TRO:
 1. Defendant will release thirty (30) vehicles to plaintiffs to be kept at plaintiffs’ lot. The 30 vehicles consist of the following: two (2) Isuzu flatbed trucks; and twenty-eight (28) cars listed on the list at DE 30-8 (“List”) indicated with “YES”, with the exception of the 2023 Chevy Suburban with VIN ending “8675”. These vehicles are to be returned to Plaintiffs’ lot by today, **September 15, 2023**. Parties are to meet and confer as to the method in which the vehicles shall be returned.
 2. Plaintiffs will not sell or dispose any of the 30 vehicles during the period of the TRO.
 3. Defendants will retain and not sell or dispose of the following vehicles on the List:

- 2023 Suburban ending in 8675
 - 2020 Mercedes-Benz ending in 4078
 - 2019 Land Rover Range Rover ending in 3297
 - 2017 Rolls Royce ending in 2728
 - 2016 Audi A6 ending in 9650
 - 2016 Audi Q5 ending in 0272
4. This stipulated portion of the TRO remains in effect until the motion for a preliminary injunction is determined by Judge Merchant.
 5. Defendants to provide proof of insurance to Plaintiffs for the two (2) “DEMO” cars.
 6. Plaintiffs agree to turn over the two dealer plates used by Eugene and Landi in their possession. However, if the plates are *not* in their possession, Plaintiffs are to file an affidavit by the end of the day **today** stating such.
 7. All other rights are reserved by the parties.

THE PARTIES ARE REMINDED that audio or video recording of proceedings by any party other than the Court is strictly prohibited by Local Civil Rule 1.8. Violation of this rule may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed appropriate by the Court.

SO ORDERED

/s/ James M. Wicks

JAMES M. WICKS

United States Magistrate Judge